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JAMES H. McKENNEY
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IN THE

Supreme Court of the United States.

October Term, 1903. No. 13, Original.

EX PARTE HERMAN FRASCH, PETITIONER.

Memorandum requested by the Court at hearing of December 21, 1903.

148 U. S., 372, American Construction Co. *vs.* Jacksonville, Tampa and Key West Ry. Co., and Same *vs.* Pennsylvania Co. for Insurance, &c., Nos. 14 and 15, original, October Term, 1892.

> "There were two petitions to this court, each praying, in the alternative, for a writ of mandamus or a writ of certiorari, to the United States Circuit Court of Appeals for the Fifth Circuit." (Page 373.)
>
> "The following orders, therefore, will be entered in these two cases:
>
> *In No. 14, writs of mandamus and certiorari denied; and petition dismissed.*
>
> *In No. 15, writs of mandamus denied; and rule granted to show cause why a writ of certiorari should not issue to bring up and quash the decree of the Circuit Court of Appeals.*" (Page 388.)

CHAS. J. HEDRICK,

Attorney for Herman Frasch, Petitioner.